III. REMARKS

By this amendment, claims 1, 5 and 13 have been amended, claim 23 has been canceled, and claim 24 has been added. As a result, claims 1, 2, 4-6, 8-15, 18-22 and 24 are remain pending in this application. These amendments are being made to facilitate early allowance of the presently claimed subject matter. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

Entry of this Amendment is proper under 37 C.F.R. 1.116(b) because the Amendment: (a) places the application in condition for allowance as discussed below; (b) does not raise any new issues requiring further search and/or consideration; and (c) places the application in better form for appeal. Accordingly, Applicants respectfully request entry of this Amendment.

In the Office Action, claims 1, 2, 4-6, 8-15, 18, 19 and 20 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Tarbotton *et al.* (U.S. Patent No. 6,757,830), hereafter "Tarbotton." Applicants assert that the references cited by the Office do not teach or suggest each and every feature of the claimed invention. For example, with respect to independent claims 1, 5 and 13, Applicants submit that the cited references fail to teach or suggest that the message includes information for constructing the query that includes information entered by a user directly incorporated therein. Instead, the invention in Tarbotton deals with "...a method of detecting an e-mail message having one or more unwanted properties using one or more tests." Col. 1, lines 63-65. To this extent, Tarbotton is performed in a normal email environment and

does not include a query that has information entered by a user incorporated therein. Similarly, Wagner deals with a data stream in an open network environment, not an environment in which information entered by a user is directly incorporated into a query. In contrast, the claimed invention includes "…the message including the information for constructing the query that includes information entered by a user directly incorporated therein." Claim 1. As such, the claimed invention operates in an environment in which information entered by a user is directly incorporated into a query, and is not merely in an e-mail environment as in Tarbotton or a data stream in an open network environment as in Wagner. Thus, the environment of the claimed invention is not taught by Tarbotton and/or Wagner. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

With further respect to independent claims 1, 5 and 13, Applicants continues to respectfully submit that Tarbotton also fails to teach the message types of the claimed invention. The passages of Tarbotton cited by the Office teach applying one or more tests that are current at the end of an expiry period to an e-mail message to identify if the e-mail message has any unwanted properties. Col. 4, lines 55-58; col. 6, lines 18-25 and 44-49. To this extent, Tarbotton scans an email for unwanted properties a second time if a new set of tests becomes available during a prescribed delay period. As such, to the extent that Tarbotton teaches an examination for message types, it is something that is external that may be accessed to determine whether a new test exists and not the email. Thus, Tarbotton does not teach or suggest that the email itself is examined for message types and that its scan for unwanted properties makes a determination in relation to the message type for the e-mail message.

The claimed invention, in contrast, includes "…retrieving identification of all message

types associated with said execution program set; examining said message received by said server in relation to said message types associated with said execution program set; and determining if said message received by said server contains an unauthorized element in relation to the corresponding message type for said message received." Claim 1. As such, the claimed invention does not merely perform a second scan based on whether new tests that are external to the e-mail are found, but instead, determines if a message contains an unauthorized element in relation to an corresponding message type for the message received. For the above reasons, the second scan of Tarbotton does not teach the message type of the claimed invention. Accordingly, Applicants request that the rejection be withdrawn.

With respect to newly added claim 24, Applicants respectfully submit that the cited references fail to teach or suggest that the query includes an entirety of the information entered by the user. Accordingly, Applicants respectfully submit that the claim is allowable as written.

With regard to the Office's other arguments regarding dependent claims, Applicants herein incorporate the arguments presented above with respect to independent claims listed above. In addition, Applicants submit that all dependant claims are allowable based on their own distinct features. However, for brevity, Applicants will forego addressing each of these rejections individually, but reserves the right to do so should it become necessary. Accordingly, Applicants respectfully request that the Office withdraw its rejection.
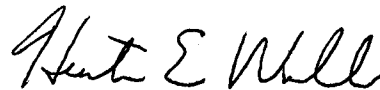
IV. CONCLUSION

In addition to the above arguments, Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not

acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

Date: January 29, 2007

/ _____ /
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